

[TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY, PART II, SECTION 3, SUB-SECTION (i)]

**GOVERNMENT OF INDIA
MINISTRY OF FINANCE
(DEPARTMENT OF REVENUE)
Notification
No. 27/2019-Customs (ADD)**

New Delhi, the 12th July, 2019

G.S.R. (E). – Whereas, the Central Government, in exercise of the powers conferred by sub-sections (1) and (5) of section 9A of the Customs Tariff Act, 1975 (51 of 1975), (hereinafter referred to as the Customs Tariff Act), read with rules 18 and 23 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, levied anti-dumping duty on imports of ‘Paracetamol’ (hereinafter referred to as the subject goods) falling under Chapter 29 of the First Schedule to the Customs Tariff Act, originating in or exported from China PR (hereinafter referred to as the subject country), *vide* notification No. 26/2013-Customs (ADD), dated the 28th October, 2013, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 710(E), dated the 28th October, 2013 for a period of five years from the date of publication in the Official Gazette;

And whereas, the designated authority, *vide* notification No. 7/16/2018-DGAD, dated the 25th April, 2018, published in the Gazette of India, Extraordinary, Part I, Section 1, initiated a review in the matter of continuation of anti-dumping duty and recommended the extension of the anti-dumping duty on the subject goods for a period of six months;

And whereas, on the basis of the recommendations of the designated authority, the Central Government had extended the anti-dumping duty on the subject goods, originating in or exported from the subject country up to and inclusive of the 26th April, 2019 *vide* notification No.39/2018-Customs (ADD), dated the 20th August, 2018, published in the Gazette of India, Extraordinary Part II, Section 3, Sub-section (i), *vide* number G.S.R 786(E), dated the 20th August, 2018 amending aforesaid notification No. 26/2013-Customs (ADD), dated the 28th October, 2013;

And whereas, the designated authority in its final findings dated 29th January, 2019, published *vide* notification No. 7/16/2018-DGAD, dated the 29th January, 2019, in the Gazette of India, Extraordinary, Part I, Section 1, regarding the review of anti-dumping duty on the subject goods originating in or exported

from the subject country, recommended termination of the anti-dumping duty on the import of subject goods;

And whereas on the basis of these final findings, the Central Government, vide notification No.19/2019-Customs (ADD), dated the 16th April, 2019, published in the Gazette of India, Extraordinary Part II, Section 3, Sub-section (i), *vide* number G.S.R 309 (E), dated the 16th April, 2019, rescinded the aforesaid notification of the Government of India, in the Ministry of Finance (Department of Revenue), No. 39/2018-Customs (ADD), dated the 20th August, 2018 to terminate the levy of anti-dumping duty on the subject goods as per the said final findings of the designated authority;

And whereas the Hon'ble High Court of Gujarat in the matter of SCA No. 5278/2019 vide order dated 24th April, 2019, directed to extend the aforesaid notification No. 39/2018-Customs (ADD), dated the 20th August, 2018 till 24th June, 2019, and on being informed that the said notification No. 39/2018-Customs (ADD), dated 20th August, 2018 had already been rescinded vide notification No. 19/2019-Customs (ADD) dated the 16th April, 2019, the Hon'ble High Court suspended notification No. 19/2019-Customs (ADD) dated the 16th April, 2019, till final disposal of the main petition;

And whereas the Hon'ble High Court of Gujarat in the matter of SCA No. 5278/2019 vide order dated the 9th May, 2019, again directed that the notification No. 39/2018-Customs (ADD), dated the 20th August, 2018 be extended for a further period up to 24th June, 2019;

And whereas the Central Government has challenged the aforesaid order vide Special Leave Petition No. 13302-13304/2019 in the Hon'ble Supreme Court;

And whereas the Central Government has extended notification No. 39/2018-Customs (ADD), dated the 20th August 2018 vide notification No. 22/2019-Customs (ADD), dated the 10th June, 2019 [G.S.R. 415 (E), dated the 10th June, 2019], in pursuance of order of Hon'ble High Court of Gujarat dated the 9th May, 2019;

And whereas the Hon'ble High Court of Gujarat in the matter of SCA No. 5278/2019 vide order dated 20th June, 2019, again directed that the notification No. 39/2018-Customs (ADD), dated the 20th August, 2018 be further extended up to and inclusive of 09th July, 2019;

And whereas the Central Government has extended notification No. 39/2018-Customs (ADD), dated the 20th August 2018 vide notification No. 26/2019-Customs (ADD) dated the 24th June, 2019 [G.S.R. 450 (E), dated the 24th June, 2019], up to and inclusive of 9th July, 2019, in pursuance of order of Hon'ble High Court of Gujarat dated 20th June, 2019;

And whereas the Hon'ble High Court of Gujarat in the matter of SCA No. 5278/2019 vide its final order dated the 3rd July, 2019, directed the respondent No. 2 to undertake the exercise of recording its final finding afresh and respondent No. 1 to extend the anti-dumping on the product in question, till the final findings are rendered.

And whereas the DGTR vide OM No. 7/16/2018-DGAD (Part file)-1, dated the 8th July, 2019 has recommended that the anti-dumping duty on Paracetamol may be extended up to and inclusive of the 27th October, 2019.

Now therefore, in exercise of powers conferred by sub-sections (1) and (5) of section 9A of the Customs Tariff Act, 1975 read with rules 18 and 23 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, and in pursuance of the aforesaid order dated the 3rd July, 2019 of Hon'ble High Court, without prejudice to the rights and contentions of the parties to be decided in the ultimate outcome of the SLP in the Hon'ble Supreme Court, the Central Government hereby makes the following further amendments in the notification of Government of India, in the Ministry of Finance (Department of Revenue), No. 39/2018 Customs (ADD), dated the 20th August, 2018, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G. S. R. 786 (E), dated the 20th August, 2018, namely:-

In the said notification, for the figures, letters and word "9th July, 2019", the figures, letters and word "27th October 2019" shall be substituted.

[F.No.354/93/2001-TRU (Pt-IV)]

(Ruchi Bisht)
Under Secretary to the Government of India

Note: The principal notification No.26/2013-Customs (ADD), dated the 28th October, 2013 was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 710(E), dated the 28th October, 2013 and last amended vide notification No. 26/2019-Customs (ADD), dated the 10th June, 2019, vide number G.S.R. 450(E), dated the 24th June, 2019.